

## LETTER OF INTENT

May 3, 2021

### City of McKinney

Planning Department  
221 N. Tennessee Street  
McKinney, Texas 75069

**Re: SUP Letter of Intent  
Tupps Brewery – Outdoor Amusement (Stage & Live Music)**

To City of McKinney Planning Department:

Please consider this the letter of intent for the ability to have live music and a stage on the property at 402 E. Louisiana Street in McKinney. The property is 3.90 acres and located south of Louisiana Street, north of Green Street, east of Dungan Street, and west of Andrews Street. The property is located in the MTC – Transit Village Edge district.

We are requesting the outdoor amusement Special Use Permit to be part of the Tupps Brewery because it will serve as a catalyst to jump-start the development of the east side of Highway 5. It is strategically positioned just east of downtown and the site can be used to unify the two. With the outdoor amusement spaces, including a stage for live music, meets MCDC's strategic priority to redevelop east of Highway 5 and making downtown a cultural center and bringing in destination projects. We can't create a world-class cultural and entertainment destination for residence and visitors without live music.

We are also very aware of the single family residence along Green and Andrews Streets and the noise ordinances that accompany this site. We are making all efforts to mitigate the noise and become good neighbors. Please refer to the attached exhibit for details on the steps being taken to achieve the desired goals.

We feel this outdoor entertainment venue will provide much a much needed amenity and destination spot to the City of McKinney east side, while competing with any music venue outside the City.

Please let me know if you need anything else from me regarding the SUP application and submittal. I appreciate your time with this review.

Respectfully,



Eric Ciskowski AIA, NCARB, LEED AP  
Principal

## EXHIBIT "A" SOUND MITIGATION EFFORTS

**The owner understands and agrees to the following city standards:**

*This site is in a quiet zone since it is less than 500' from residential property lines.*

*Noise Ordinance: sec 70-120*

*The using, operating or permitting to be played, used or operated any sound production or reproduction device, radio, receiving set, musical instrument, drums, phonograph, television set, loudspeakers and sound amplifiers or other machine or device for the producing or reproducing of sound within a quiet zone in such a manner as to cause a noise disturbance. Furthermore, any such activity shall create a noise disturbance per se if conducted between the hours of 10:00 p.m. and 7:00 a.m. Sunday through Thursday, and between the hours of 11:30 p.m. and 7:00 a.m., Friday and Saturday.*

*Performance standards: sec 146-134*

### *1- Noise*

*a. At no point at the bounding property line of a residential use shall the sound pressure level of any operation or activity exceed 65 dB(A) for daytime hours and 58 dB(A) at nighttime. At no point at the bounding property line of a non-residential use shall the sound pressure level of any operation or activity exceed 70 dB(A) for daytime hours and 60 dB(A) at nighttime.*

*b. Daytime hours. Daytime shall refer to the hours between 6:00 a.m. and 9:00 p.m. on any given day.*

*c. Boundary property line. The bounding property line shall be the nearest property line of the property on which the noise is being generated.*

*d. Noise measurement. Measurement of noise shall be made with a sound level meter meeting the standards prescribed by the American National Standards Institute.*

***Performance standards and noise ordinance will apply to this site. Please note in the letter of intent and show on the SUP exhibit what noise mitigating features will be constructed and what noise mitigating precautions are being proposed in order to stay in conformance to these requirements.***

The entertainment stage specific use permit for the tupps brewery site proposes an outdoor stage for music and entertainment. There is a 981 sf portion of an existing building proposed to be used as a smaller secondary stage. This proposed stage will use the existing structure and modify it to be ADA and code compliant. The direction of this stage points directly south at the new brewery building which will be approximately 60' tall. The proposed stage is 235' feet from the southern most property line and approximately 300' from the nearest residence.

The main elements in the reduction of sound in this scenario is mass and distance. The mass of the new tall brewery and the distance between the stage and neighboring residence is reasonably expected to reduce the sound. A professional acoustician would be required to provided a more detailed study of the exact physics and properties of the sound path and transmission.